IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Applicants: James M. Cisar

Reissue Application of Patent No: 5,931,873

Issue Date: August 3, 1999

Examiner:

Art Unit:

Title: PROGRAMMABLE MOBILE DEVICE WITH THUMB WHEEL

Box REISSUE
Assistant Commissioner for Patents
U.S. Patent and Trademark Office
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Dear Sir:

Entry of this amendment prior to substantive examination of this reissue application (for U.S. 5,931,873) is requested. Favorable reconsideration of the above-identified reissue application is respectfully requested in view of the comments below.

IN THE CLAIMS

Please add the following claims:

23. (New) A portable device, comprising:

a housing;

a bar code reader; and

a thumb wheel adapted to facilitate user interaction with the portable device, the thumb wheel being rotatable about an axis, and at least a portion of the thumb wheel extending from the housing.

24. (New) The device of claim 23, the thumb wheel being transaxially moveable.

25. (New) The device of claim 24, the thumb wheel being transaxially moved to effect selection of a function performable by the device.

26. (New) The device of claim 24, the housing being adapted to be held by one hand and the thumb wheel being transaxially moved to effect selection of a function using the one hand.

27. (New) The device of claim 23, further comprising a processor and a card slot adapted to receive a memory card storing executable programs that are executable by the processor.

28. (New) The device of claim 23, further comprising a display for displaying information scanned by the bar code reader, and the thumb wheel being employable to facilitate a user to scroll through the displayed information.

29. (New) The device of claim 28, the thumb wheel being employed to select a subset of the displayed information.

30. (New) The device of claim 23, adapted to be held by a single hand of a user and providing for the user to employ the same hand to scroll through and select a function among a plurality of functions *via* the thumb wheel.

31. (New) The device of claim 23, being user programmable so as to tailor the device to be able to execute desired functions, the thumb wheel being employable to scroll through the desired functions *via* rotation of the thumbwheel.

32. (New) The device of claim 31, the thumb wheel providing for selection of at least one of the functions *via* depressing the thumb wheel in a transaxial direction.

33. (New) The device of claim 32, further including a processor coupled to the thumbwheel, the processor adapted to execute functions selected *via* depressing the thumb wheel in a transaxial direction.

34. (New) The device of claim 23, further including a control circuit operatively coupled to the thumb wheel and a processor, the control circuit adapted to provide at least one signal to the processor in response to movement of the thumb wheel.

35. (New) The device of claim 23, the thumb wheel being employable to activate the bar code scanner.

36. (New) The device of claim 23, further including a display for displaying a plurality of menus, the menus presenting a plurality of functions or sub-functions, and the thumb wheel being employable to navigate through the respective menus.

37. (New) The device of claim 23, further including a transceiver to communicate to a remote computer a subset of collected data selected *via* a thumbwheel.

38. (New) A data collection device comprising:

a bar code scanner for collecting information; and

a thumb wheel that is rotatable about an axis and is transaxially moveable, the thumb wheel providing for at least one of: scrolling through the collected information, selecting a subset of the collected information, scrolling through a plurality of executable functions, and selecting a subset of the executable functions.

39. (New) The device of claim 38, the plurality of executable functions comprising one or more of: an inventory function, a production lot size function, a reorder level function, a safety stock function, a total relevant history cost function, an ordering cost function, and a marginal cost function.

40. (New) The device of claim 38, the bar code reader being employable in scanning a patient's ID tag, and the thumb wheel being employable to scroll through a plurality of screens relating to patient information, the screens being displayed by a display that is part of the device.

41. (New) A portable inventory control device, comprising:

means for scanning bar code information; and

means for facilitating user interfacing with the device with a same user hand that is employed to concurrently hold the device, the user interfacing comprising one or more of: scrolling through functions, scrolling through scanned items, selecting a subset of the functions, and selecting a subset of the scanned items.

42. (New) A method of using a portable inventory control device comprising:

collecting information *via* a bar code reader;

displaying the information *via* a display of the device; and

selecting a displayed function and/or item *via* a thumb wheel that is rotatable about an axis.

43. (New) The method of claim 42, further comprising using the thumb wheel to activate the bar code reader.

44. (New) The method of claim 42, further comprising selecting the displayed function and/or item by transaxially moving the thumb wheel.

45. (New) The method of claim 42, further comprising using a memory card to add functionality to the device.

46. (New) An inventory control system, comprising:

a network backbone;

a computer operatively coupled to the network backbone; and

a portable data collection device operatively coupled to the computer *via* the network backbone, the device comprising:

a bar code reader adapted to facilitate collecting information;

a thumb wheel that is rotatable about an axis, the thumb wheel facilitating user interaction with the device; and

a transceiver adapted to communicate to the computer a subset of the collected information that a user selected *via* the thumb wheel.

STATUS OF CLAIMS AND SUPPORT FOR CLAIM CHANGES

Claims 23-46 have been added. Claims 1-46 are now pending.

Support for the subject matter of claims 23-46 is included, generally, from column 4, line 42 to column 5, line18 of the specification and Fig. 1 and Fig. 2. Specifically, a bar code reader is described on column 4, lines 42-49 and column 5 lines 15-18. A card slot is described on column 4, lines 55-64.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above amendments and comments.

If any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063.

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,
AMIN & TUROCY, LLP

Christopher P. Harris
Reg. No. 43,660

AMIN & TUROCY, LLP
24TH Floor, National City Center
1900 E. 9TH Street
Cleveland, Ohio 44114
Telephone: (216) 696-8730
Facsimile: (216) 696-8731